

**UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD**

**PPG AEROSPACE INDUSTRIES, INC.**

**and**

**Case Nos. 10-CA-36530  
10-RC-15611**

**INTERNATIONAL UNION, UNITED  
AUTOMOBILE, AEROSPACE AND  
AGRICULTURAL IMPLEMENT WORKERS  
OF AMERICA (UAW)**

**UAW' MOTION FOR EXTENSION OF TIME TO FILE ANSWERING BRIEF**

Comes now Counsel for the Charging Party-Petitioner, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America ("UAW"), and hereby moves for a 14 day extension of time to file an answering brief to the additional exceptions filed by PPG Aerospace, Industries, Inc., the employer-respondent in these cases. The reasons for this motion are more fully set forth below.

1. On September 30, 2008, the Board issued a decision remanding a portion of these cases to the Administrative Law Judge for explanation and reconsideration of certain credibility findings he made in his initial decision issued on October 19, 2007.

2. On December 12, 2008, the Administrative Law Judge issued his supplemental decision. Pursuant to the Board's Rules and Regulations, exceptions to the Administrative Law Judge's supplemental decision were due on or before January 9, 2009. The employer-respondent sought and received a 14 day extension of time to file exceptions. On or about January 21, 2009, the employer-respondent filed approximately 33 additional exceptions to the Administrative Law Judge's supplemental decision. The employer-respondent's additional exceptions and supporting

brief were not received by the undersigned counsel for the UAW until January 26, 2009 apparently because the service copies were sent to counsel's former office address.<sup>1</sup>

3. The respondent's additional 33 exceptions to the Administrative Law Judge's five page supplemental decision are voluminous and extremely detailed.<sup>2</sup> Pursuant to Rule 102.46(d)(1) of the Board's Rules and Regulations, any answering brief will due on or before February 6, 2009.

4. Because of the press of other previously scheduled hearings and matters as well as out of town travel for those hearings, counsel for the Charging Party-Petitioner requires additional time to adequately respond to the voluminous and detailed additional exceptions filed by the employer-respondent.

5. Therefore, counsel for the Charging Party-Petitioner respectfully requests an additional 14 days up to and including February 20, 2008 in which to file an answering brief in these consolidated cases. This is the first request for an extension made by counsel for the Charging Party-Petitioner and is made in good faith and not to unduly delay the proceedings in these cases.

Wherefore, for the above cited reasons and good cause shown, counsel for the Charging Party-Petitioner respectfully requests that this motion be granted and that he be permitted up to and including February 20, 2009 in which to file answering brief in this case.

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<sup>1</sup>The certificate of service for the employer-respondent's additional exceptions and supporting brief show that the pleadings were served by federal express overnight mail to George Davies, Nakamura, Quinn, & Walls, Lakeshore Park Plaza, Suite 130, 2204 Lakeshore Drive, Birmingham, Alabama. The undersigned counsel's law firm moved from this address on August 1, 2008. Apparently when Fedex could not deliver to that address the pleadings were returned to counsel for the employer-respondent and eventually forwarded to the correct address, arriving on Monday, January 26, 2009.

<sup>2</sup>By contrast, the employer-petitioner filed 46 exceptions to the Administrative Law Judge's original decision.

Respectfully Submitted,

/s George N. Davies

George N. Davies  
NAKAMURA, QUINN, WALLS  
WEAVER & DAVIES LLP  
2700 Highway 280 East, Suite 380  
Birmingham, AL 35223  
(205) 870-9989  
(205) 803-4143 facsimile

Counsel for the UAW

Date: January 29, 2009

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the UAW's Motion for Extension of Time to File Answering Brief was electronically filed with the National Labor Relations Board and served by U.S. mail and facsimile to:

John J. Coleman, III, Esq.  
Burr & Forman LLP  
3400 Wachovia Tower  
420 N. 20<sup>th</sup> Street  
Birmingham, AL 35203

Gregory Powell, Esq.  
National Labor Relations Board, Region 10  
1130 22<sup>nd</sup> Street South  
Ridge Park Place, Suite 3400  
Birmingham, AL 35202-2870

Martin M. Arlook, Regional Director  
National Labor Relations Board, Region 10  
233 Peachtree Street, N.E.  
Harris Tower, Suite 1000  
Atlanta, GA 30303

On this the 29<sup>th</sup> day of January, 2009.

/s George N. Davies  
George N. Davies